

ARTICLE 54

SEC. 21-54 DESIGN REVIEW PERMIT.

54.1 Design review permit: Design review permits, revocable and conditional may be issued for any of the uses or purposes for which said permits are required or permitted by the terms of this Chapter. The Development Review Committee (Committee) may impose such conditions as they deem necessary to secure the purposes of this Chapter, Code or other County standards, and may require tangible guarantees or evidence that such conditions are being, or will be, complied with.

Design review will help insure aesthetic compatibility between uses in community business districts and along designated scenic corridors where the Design Review combining district is applied. Design review shall include, but not be limited to, a review of the following: Traffic and circulation, building arrangement, setbacks, walls and fences, noise emissions and control measures, off-street parking, physical design, building exteriors, architectural design, grading, drainage, landscaping, lighting, signs, public services and utilities, community design criteria, development and performance standards and the interrelationships of these elements. (Ord. No. 1749, 7/7/1988)

54.2 Applicability: The Design Review combining district should be applied in community shopping areas, along selected scenic routes, and in other areas where increased or coordinated aesthetic design standards are desirable. The zoning designation should be accompanied by adoption of community design manuals providing criteria for the review of development projects. A design review permit should be required as follows except as provided in Subsection (c):

- (a) Any use, structure or sign requiring a design review permit as specifically provided in the applicable zoning district regulations of this Chapter or as provided in [Article 45](#).
- (b) Any use requiring a design review permit as specifically required by the Zoning Administrator, Planning Commission or Board of Supervisors as a condition of approval of any permit.
- (c) The Planning Director may waive the submission of or the requirement for a design review permit if the Director finds that 1) all the purposes of design review have been fulfilled by the approval of any other permit required by this Chapter; or 2) the project involves only interior alterations not materially changing the character of the use of the property; or 3) the project involves only minor exterior alterations not materially changing the character of the use of the property.

54.3 Application: The design review permit application shall be accompanied by any applicable fee in an amount to be set by the Board of Supervisors, and plans showing the details of the proposed use to be made of the land or building, and any other pertinent information required by the Planning Department as provided in [Article 55](#).

54.4 Public hearing and notice:

- (a) A public hearing shall be held on any application for a design review permit.
- (b) The Review Authority for design review permits is the Development Review Committee.
- (c) Notice of any public hearing shall be given as provided in Section 57.3.

54.5 Findings required for approval:

- (a) The Review Authority shall only approve or conditionally approve a design review permit if all of the following findings are made:
 - 1. That the proposed use is a permitted use in the district where located.
 - 2. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed.
 - 3. That there are adequate public or private services, including but not limited to fire protection, water supply, and sewage disposal.
 - 4. That the project is in conformance with the applicable provisions and policies of this Chapter, the Lake County General Plan and any approved zoning or land use study or plan.
 - 5. That the placement and design of buildings and structures are compatible with existing development and will not detract from the visual setting.
 - 6. That the project is in conformance with any applicable community design manual criteria.
 - 7. That the streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the specific proposed use. **(Ord. No. 2128, 1/14/1993)**
 - 8. That no violation of Chapters 5, 17, 21, 23 or 26 of the Lake County Code currently exists on the property, unless the purpose of the permit is to correct the violation, or the permit relates to a portion of the property which is sufficiently separate and apart from the portion of the property in violation so as not to be affected by the violation from a public health, safety or general welfare basis. **(Ord. No. 2128, 1/14/1993)**

54.6 Permit issuance and appeal period:

- (a) Upon completion of review of a design review permit the Development Review Committee shall either:
 - 1. Make such findings as are required by Section 54.5 and approve the application; or
 - 2. Notify the applicant of those changes and modifications required for approval of the application; or
 - 3. Deny the application if the Development Review Committee finds that:
 - i. The application cannot be conditioned by adequate requirements to insure compliance with applicable regulations, or
 - ii. The application cannot reasonably be modified to conform to the applicable regulations.
- (b) Design review permits shall be effective upon issuance, unless within seven (7) calendar days of a decision by the Commission, the decision is appealed as provided for in Section 54.7. In case an appeal is filed, the design review permit shall not have any force or effect until a decision is made by the Review Authority on such appeal.
- (c) Design review permits shall not have any force or effect until the permittee acknowledges receipt thereof and has agreed in writing to each and every term and condition thereof.

54.7 Appeals:

- (a) A decision of the Development Review Committee on a design review permit application may be appealed to the Planning Commission in accordance with the provisions of Section 58.20 et seq. of this Chapter.
- (b) A decision of the Planning Commission on a design review permit application may be appealed to the Board of Supervisors in accordance with the provisions of Section 58.30 et seq. of this Chapter.

54.8 Expiration: All design review permits shall have an expiration period(s) as provided in Article 60.

54.9 Revocation: Design review permits may be revoked in the manner and for the reasons as provided in Section 60.10.

(Added by Ord. No. 1749, 7/7/1988)

